

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAFONZO R. TURNER,
Plaintiff,

v.

P A RISENHOOVER,
Defendant.

Case No. [15-cv-03067-KAW](#) (PR)

**ORDER FOR CLARIFICATION FROM
PLAINTIFF REGARDING MOTION
FOR VOLUNTARY DISMISSAL**

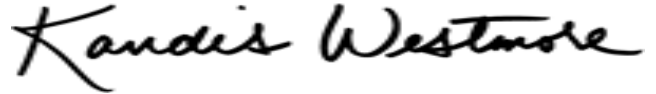
Plaintiff Lafonzo R. Turner, a prisoner at California State Prison, Sacramento, filed this *pro se* civil rights case against Physician's Assistant Risenhoover, an employee at Pelican Bay State Prison, where Plaintiff was previously incarcerated. Plaintiff originally filed this case in the Central District of California and, on June 25, 2015, the claim against Risenhoover was severed and transferred from the Central District to this district. On December 2, 2015, Defendant Risenhoover filed a motion to revoke Plaintiff's *in forma pauperis* ("IFP") status under 28 U.S.C. § 1915(g), which Plaintiff has opposed.

On January 21, 2016, Plaintiff filed a motion for voluntary dismissal of the claims against the City of Sacramento under Federal Rule of Civil Procedure 41(a)(i) and (ii). However, the only defendant in this action is Risenhoover. Defendant Risenhoover has responded that she does not oppose Plaintiff's motion to dismiss his action against her, if that is what he intended to do. Therefore, the Court requests Plaintiff to clarify whether he filed the motion for voluntary dismissal of the claim against the City of Sacramento in this case in error or whether he seeks to dismiss his case against Risenhoover. Plaintiff shall file a declaration clarifying this issue within twenty-eight days from the date of this Order. If Plaintiff fails to respond within this time, the

1 Court shall consider that the motion for voluntary dismissal was filed in error and rule on
2 Defendant's motion to revoke Plaintiff's IFP status.

3 **IT IS SO ORDERED.**

4 Dated: February 12, 2016

A handwritten signature in black ink that reads "Kandis Westmore". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

KANDIS A. WESTMORE
United States Magistrate Judge